

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Roanoke Division)**

YVETTE NORMAN,

Plaintiff,

v.

Case No.: 7:22cv00096

LEONARD'S EXPRESS, INC., et al.

Defendants.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441, and 1446, Defendants, Leonard's Express, Inc. and Julian J. Kaczor, hereby file this Notice of Removal of the above-captioned civil matter, currently pending in the Circuit Court for the City of Roanoke, CL21002736-00, to the United States District Court for the Western District of Virginia, Roanoke Division. In support of removal, Leonard's Express, Inc. and Julian J. Kaczor state as follows:

Facts Giving Rise to Jurisdiction

1. Plaintiff, Yvette Norman, commenced this personal injury accident in the Circuit Court for the City of Roanoke against Leonard's Express, Inc. and Julian J. Kaczor seeking \$15 million in damages for injuries allegedly sustained in a motor vehicle accident that occurred on southbound Interstate 81 on or about December 28, 2019. *See* Pl.'s Compl., attached hereto as Exhibit 1.

2. Pursuant to her Complaint, Plaintiff is a resident of North Carolina. Ex. 1 at ¶ 5.

3. Defendant, Leonard's Express, Inc., is a New York corporation with a principal place of business in Farmington, New York.

4. Defendant, Julian J. Kaczor, is a citizen of New York. Ex. 1 at ¶ 8.

Legal Basis for Jurisdiction

5. Removal of this matter is proper pursuant to 28 U.S.C. § 1332(a)(1), as there exists complete diversity between the Parties and the amount in controversy exceeds \$75,000.00.

6. Defendant, Leonard's Express, Inc., was first served with the Complaint in this matter on February 4, 2022. *See* Va. Ct. Case Information, attached hereto as Exhibit 2. Defendant, Julian J. Kaczor, was also first served with the Complaint in this matter on February 4, 2022. *Id.* Therefore, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b).

7. As required by 28 U.S.C. § 1446(b), true and correct copies of the process and pleadings served upon Leonard's Express, Inc. is being filed with this notice of removal. *See* Pl's Compl., Ex. 1.

8. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on all Parties and is being filed with the Circuit Court for the City of Roanoke.

WHEREFORE, Defendants, Leonard's Express, Inc. and Julian J. Kaczor, respectfully request that this matter proceeds in this Honorable Court as a matter properly removed thereto.

Dated: February 18, 2022

Respectfully submitted,

**LEONARD'S EXPRESS, INC., and
JULIAN J. KACZOR**

By Counsel:

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*Counsel for Leonard's Express, Inc. and
Julian J. Kaczor*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day February, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that a true and correct copy of the foregoing was served via electronic mail and U.S. mail, postage pre-paid to:

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